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Approved for use through 10/31/2002. OMB 0651-0032

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**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 1-15407

First Inventor Kaplan, Andreas

Title Beta-Hydroxyalkylamides, Process  
for Their Production and Their Use

Express Mail Label No. EL850046815US

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)

(Submit an original and a duplicate for fee processing)

2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.3. ☒ Specification [Total Pages 11]

(preferred arrangement set forth below)

- Descriptive title of the invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

4. ☐ Drawing(s) (35 U.S.C. 113) [Total Sheets ]

5. Oath or Declaration [Total Pages 2]

- a. ☒ Newly executed (original or copy) (unsigned)  
Copy from a prior application (37 CFR 1.65(d))  
(for continuation/divisional with Box 18 completed)
- b. ☐

i. ☐ **DELETION OF INVENTOR(S)**Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b).6. ☐ Application Data Sheet. See 37 CFR 1.76ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or  
Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ paper
- c. ☐ Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☒ Power of  
(when there is an assignee) Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure ☐ Copies of IDS  
Statement (IDS)/PTO-1449 Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☒ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form PTO/SB/35  
or its equivalent.
17. ☐ Other: .....

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment,  
or in an Application Data Sheet under 37 CFR 1.76:☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No.: \_\_\_\_\_ / \_\_\_\_\_

Prior application information:

Examiner \_\_\_\_\_

Group Art Unit: \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under  
Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.  
The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☒ Correspondence address below

Name D. Edward Dolgorukov

Address Marshall & Melhorn, LLC  
Four SeaGate, Eighth Floor

City Toledo State Ohio Zip Code 43604

Country USA Telephone 419-249-7100 Fax 419-249-7151

Name (Print/Type) D. Edward Dolgorukov Registration No. (Attorney/Agent) 26,266

Signature

Date 7/20/01

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Washington, DC 20231.

# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ ) 710

## Complete if Known

Application Number  
Filing Date  
First Named Inventor Kaplan, Andreas  
Examiner Name  
Group Art Unit  
Attorney Docket No. 1-15407

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 13-1816  
Deposit Account Name Marshall & Melhorn, LLC

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  
☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 710	201 355	Utility filing fee	710
106 320	206 160	Design filing fee	
107 490	207 245	Plant filing fee	
108 710	208 355	Reissue filing fee	
114 150	214 75	Provisional filing fee	

SUBTOTAL (1) (\$ ) 710

### 2. EXTRA CLAIM FEES

Total Claims 14 - 20\*\* = 0 x Fee from below = 0  
Independent Claims 1 - 3\*\* = 0 x Fee Paid = 0  
Multiple Dependent =

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 80	202 40	Independent claims in excess of 3
104 270	204 135	Multiple dependent claim, if not paid
109 80	209 40	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ ) 0

\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for ex parte reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 390	216 195	Extension for reply within second month	
117 890	217 445	Extension for reply within third month	
118 1,390	218 695	Extension for reply within fourth month	
128 1,890	228 945	Extension for reply within fifth month	
119 310	219 155	Notice of Appeal	
120 310	220 155	Filing a brief in support of an appeal	
121 270	221 135	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,240	241 620	Petition to revive - unintentional	
142 1,240	242 620	Utility issue fee (or reissue)	
143 440	243 220	Design issue fee	
144 600	244 300	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Petitions related to provisional applications	
126 240	126 240	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))	
179 710	279 355	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 0

## SUBMITTED BY

Name (Print/Type)	D. Edward Dolgorukov	Registration No. (Attorney/Agent)	26,266	Telephone	419-249-7146
Signature		Date	July 20, 2001		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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EL850046815US

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Date of Deposit

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*Sarah E. Dutridge*

Signature of person mailing correspondence

Sarah E. Dutridge

Typed or printed name of person mailing correspondence

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**New Utility Patent Application**

**Title:** BETA-HYDROXYALKLYAMIDES, PROCESS FOR THEIR PRODUCTION AND THEIR USE

**Inventors:** Kaplan, et al.

**Docket No.** 1-15407

**Attorneys:** Marshall & Melhorn, LLC, Four SeaGate, Eighth Floor, Toledo, OH 43604 ph: 419-249-7100 / fax: 419-249-7151

Attorney Docket No. 1-15407

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Kaplan

Group No.:

Serial No.: 0 /

Filed:

Examiner:

For: Beta-Hydroxyalkylamides, Process  
for Their Production and Their Use

Assistant Commissioner for Patents  
Washington, D.C. 20231

1c903 U.S. PTO  
09/909573  
07/20/01

**TRANSMITTAL OF CERTIFIED COPY**

Attached please find the certified copy of the foreign application from which priority is claimed for this case:

Country: Germany

Application

Number: 100 53 194.6

Filing Date: October 26, 2000

**WARNING:** "When a document that is required by statute to be certified must be filed, a copy, including a photocopy or facsimile transmission of the certification is not acceptable." 37 CFR 1.4(f) (emphasis added).

  
SIGNATURE OF ATTORNEY

Reg. No. 26,266

D. Edward Dolgorukov

(type or print name of attorney)

Tel. No. (419) 249-7146

Marshall & Melhorn, LLC  
Four SeaGate, Eighth Floor

P.O. Address  
Toledo, OH 43604

**NOTE:** The claim to priority need be in no special form and may be made by the attorney or agent, if the foreign application is referred to in the oath or declaration, as required by § 1.63.

**CERTIFICATE UNDER 37 CFR 1.10 OF MAILING BY "EXPRESS MAIL"**

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"Express Mail" Label Number

July 20, 2001

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Signature of person mailing correspondence

Sarah E. Dutridge  
Typed or printed name of person mailing correspondence